

As to **Claim 1** Gottesman discloses (see at least cols 1-14, but particularly col 4, lines 42-67, col 5, lines 1-57, col 7, lines 48-67, and col 8, lines 1-16) "A method for ... comprising: creating a plurality of product (component) rules ... said financial transactions." , both as an inventive concept and as computer program functions to be performed, but he does not specifically teach the detailed programmatic steps for these software functions. Petroustos teaches (see his book in general, but particularly Chapter 3 at least the sections "Arrays" through "Arrays of Arrays", and "If ... Then ... End", and Chapter 11 at least the sections "Databases and Database Management Systems" through "The Data Control's Properties"), by example of one of several computer programming languages then available, how relatively logical, simple, and obvious it would have been for one skilled in the art at the time of the invention to create the programming steps necessary to translate an inventive concept, like Gottesman's described computer functions to be performed, into a working computer software program. For such skilled programmers it would have been obvious in a financial transaction system containing price tables and product (component) rules for multiple products (components) and multiple prices to develop the computer logic and the means for the pricing and other calculations required and to employ specific names, identifiers, and references for the pricing and product (component) databases (tables) and their data fields, together with the programmatic means to both create all of the logic and tables and to link them all together for the purpose and function intended to be performed. In view of Gottesmans' teaching, it would have been obvious to one skilled in the art at the time of the invention to integrate Gottesmans' invention with the teachings of Petroustos because the combination of the two would have provided a completed, improved, and operational financial transaction system that could have been used by financial service companies. Likewise, in light of Petroustos' teaching, it would have been obvious to one skilled in the art at the time of the invention to integrate the teachings of Petroustos with those of Gottesman for the same reason.

As explained in Applicant's Response to Office Action of October 2, 2001, Applicant submits that the Examiner's rejection is improper because a *prima facie* case of obviousness has not been made. In particular, the rejection is improper because the combination of Gottesman and Petroustos fail to teach all claim limitations of independent Claim 1 and the

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Examiner fails to make an adequate showing of a teaching, suggestion, or motivation in the prior art to effectuate the combination of Gottesman's and Petroutsos's teachings.

Nevertheless, to further particularly point out and to distinctly claim Applicant's invention, Applicant has rewritten Claim 1 to recite a specific method for pricing financial transactions

1. (Amended) A method for pricing financial transactions, said method comprising:

creating, in a database system, a plurality of price tables;

creating, in a database system, a plurality of product rules each applicable to one or more of said financial transactions, wherein each of said product rules is linked to one of said price tables; and

for each one of said financial transactions:

identifying an applicable one of said product rules for said transaction; and

pricing said transaction according to the price table linked to said identified applicable product rule.

Gottesman does not teach such a method. In fact, Gottesman discloses, at cols. 7-10, a complicated pricing method involving a "Pricing Engine 310," "Relationship Pricing/Balance Database 250" and "Rate Engine 345" (Gottesman, at col. 10, lines 34-42). The Pricing Engine, which Gottesman discussed in cols. 7 and 8 and upon which the Examiner relies for his rejection, is only one of several portions of Gottesman's pricing system. Unlike Applicant's use of product rules that link pricing tables, Gottesman discloses a system that uses a new language to express the business rules for Relationship pricing (Col. 8, lines 17-33). In fact, the "Relationship Pricing Logic Table Form" shown in Fig. 11, which is used to code the pricing rules, amply illustrates the complexity of Gottesman's system. Therefore, in

the context of the entire reference, and those portions cited by the Examiner, it is clear that Gottesman teaches a qualitatively different system than what is set forth in Claim 1.

As to Petroutsos, Petroutsos is simply a reference manual for a computer programming language, and provides no disclosure, suggestion or motivation that would modify Gottesman's system in the direction of Applicant's Claim 1. Thus, the combination of the teachings of Gottesman and Petroutsos, as suggested by the Examiner, results merely in an implementation of Gottesman's system in the visual Basic programming language. Such a combination has no more relevance to Claim 1 than Gottesman standing by itself. Accordingly, Applicant submits that Claim 1 and its dependent Claims 2-5, 17-20 and 22 are each allowable over Gottesman and Petroutsos, individually and in combination, at least for the reasons set forth above. Similarly, Claims 23-29, are each allowable over Gottesman and Petroutsos by reciting:

23. A data processing system for pricing a financial transaction, said data processing system comprising:

means for creating a product rule applicable to said financial transaction, said product rule comprises a plurality of mandatory attributes and a plurality of optional attributes;

means for creating a price table;

means for creating a link between said product rule and said price table; and

means for calculating a price for said financial transaction based by identifying said product rule and accessing said price table via said link.

(emphasis added)

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Thus, Claims 1-5, 17-20 and 22-29 are each allowable over Gottesman and Petroutsos. Reconsideration and allowance of Claims 1-29 are therefore requested.

The Examiner rejected Claims 6-16 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Gottesman and Petroutsos, further in view of U.S. Patent 5,878,400 ("Carter"). With respect to claim 6, the Examiner stated in the Office Action of July 2, 2001, *inter alia*, that:

Carter teaches (see at least Figure 7) approximately 25 different types of commonly used pricing types, which are only a partial listing of the many common pricing types, some of which have been used for the past several millenia. For such skilled programmers it would have been obvious in a financial transaction system containing price tables and product (component) rules for multiple products (components) and multiple prices and pricing types to develop the computer logic for the many commonly known and used different types of pricing methods required for the many products involved and the means for the pricing and other calculations required and to employ specific names, identifiers, and references for the pricing and product (component) databases (tables) and their data fields, together with the programatic means to both create all of the logic and tables and to link them all together for the purpose and function intended to be performed, including specifically flat fee pricing.

Because Claims 6-16 each depend from claim 1, Claims 6-16 are each allowable over the combined teachings of Gottesman and Petroutsos, for the reasons stated above. The Examiner's further combining of Carter to the teachings of Gottesman and Petroutsos does not cure the deficiencies of the previous combination. In other words, employing known pricing methods in Gottesman's system would not yield Applicant's Claims 6-16 because Gottesman's method and the method of Applicant's Claim 1 are qualitatively different. Specifically, the

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combination of Gottesman, Petroustos, and Carter neither discloses nor suggests Applicant's Claim 1, which recites:

1. (Amended) A method for pricing financial transactions, said method comprising:

creating, in a database system, a plurality of price tables;

creating, in a database system, a plurality of product rules each applicable to one or more of said financial transactions, wherein each of said product rules is linked to one of said price tables; and

for each one of said financial transactions:

identifying an applicable one of said product rules for said transaction; and

pricing said transaction according to the price table linked to said identified applicable product rule.

Accordingly, Applicant respectfully submits that Claims 6-16 are each therefore allowable over Gottesman, Petroustos and Carter, individually and in any combination. Reconsideration of Claims 6-16 are therefore requested.

For the above reasons, Applicant respectfully submits that the Examiner's rejections of all pending claims (i.e., Claims 1-29) are erroneous. Accordingly, Applicant requests reconsideration and allowance of these claims. If the Examiner has any questions regarding the above, the Examiner is requested to telephone the undersigned Attorney for Applicants at 408-392-9250.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231. on July 19, 2002.

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## APPENDIX

Please amend Claims 1-5, 17-18, 23, 25 and 28 as follows:

1. (Amended) A method for pricing financial transactions, said method comprising:

creating, in a database system, a plurality of price tables;

creating, in a database system, a plurality of product rules [related] each applicable to one or more of said financial transactions, wherein each of said product rules [include a first attribute; ] is linked to one of said price tables;

[creating a plurality of price tables, said price tables linked to said product rules by said first attribute, said price tables comprise a second attribute;] and

for each one of said financial transactions:

identifying an applicable one of said product rules for said transaction; and

pricing said transaction according to the price table linked to said identified applicable product rule.

[calculating a plurality of prices based on said second attribute for said financial transactions].

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2. (Amended) The method of Claim 1, wherein said price table [includes a third attribute, said third attribute comprising ] comprises a billing method.

3. (Amended) The method of Claim 1, wherein each of said product rules comprises:

[a first portion comprising the] a name of said product rule;

[a second portion comprising the] a status of said product rule;

[a third portion comprising information regarding] pricing and billing information, including a link to one of said price tables[, said third portion including said first attribute and said second attribute]; and

[a fourth portion comprising] display only information.

4. (Amended) The method of Claim 1, wherein each of said [first attribute comprises] product rules is linked to one of said price tables by a price table name.

5. (Amended) The method of Claim 1, wherein [said second attribute] an entry in each of said price tables comprises a pricing method.

17. (Amended) The method of Claim 1, wherein said product rule further comprises a plurality of mandatory attributes, said mandatory attributes [create] include an identifier for said product rule.

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18. (Amended) The method of Claim 1, further comprising, in creating one of said product rules, applying a [plurality of] validating rule[s] to validate said product rule[s] prior to committing said product rules to [a] said database system.

23. (Amended) A data processing system for pricing a financial transaction[s], said data processing system comprising:

means for creating a product rule applicable to said financial transaction, said product rule comprises a plurality of mandatory attributes and a plurality of optional attributes;

means for creating a price table;

means for creating a link between said product rule and said price table; and

means for calculating a price for said financial transaction based [on] by identifying said product rule and accessing said price table via said link.

25. (Amended) The data processing system of Claim 23, wherein means for creating a product rule comprises:

means for [creating a first information, said first information being the] assigning a name [of] to said product rule;

means for [creating a second information, said second information being the] assigning a status [of] to said product rule;

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means for [creating a third information, said third information being how]  
associating with said product rule pricing and billing [is to be performed] information;  
and

means for [creating a fourth information, said fourth information being]  
associating said product rule with display only information.

28. (Amended) The data processing system of Claim 23, further comprising means  
for applying validation rules to validate said product rule[s] before committing said product  
rule[s] to a database.